

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

|             |   |   |   |
|-------------|---|---|---|
| Patent No.: | 5,094,041   | ) |   |
|             |   | ) |   |
| Issue Date: | March 10, 1992  | ) |   |
|             |   | ) |   |
| Patentees:  | Gary P. Kasner, Mark S. Stoll,<br>and Richard J. Morris | ) | <b>DECLARATION PURSUANT TO<br/>37 CFR §1.63</b> |
|             |   | ) |   |
| Title:      | Ridge Cap Types<br>Roof Ventilator                      | ) |   |
|             |   | ) |   |

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is described and claimed in letters patent number 5,094,041 granted on March 10, 1992 entitled: **RIDGE CAP TYPES ROOF VENTILATOR**, and in the foregoing specification which is attached hereto and for which invention I solicit a reissue patent.

I state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any Preliminary Amendment referred to herein.

I state that I believe the original patent to be partially inoperative or invalid because of error without any deceptive intent on the part of the applicants or inventors, for failing to claim all the subject matter which applicants were entitled to claim as their

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envelope addressed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231 on 9-16-94  
**BRIGGS AND MORGAN**

*Barth J. Morgan*  
Signature

9-16-94  
Date

invention and for nonjoinder of a true inventor, as set forth in the accompanying Verified Statement of Facts.

I acknowledge the duty to disclose information material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), including any public use, sale, or offer for sale of the disclosed invention occurring more than one year prior to the filing date of this application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed and have identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

|          |           |                        | Priority Claimed |    |
|----------|-----------|------------------------|------------------|----|
| (Number) | (Country) | (Day/month/year filed) | Yes              | No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| (Application Serial No.) | (Filing date) | (Status - patented, pending, abandoned) |
|--------------------------|---------------|---|
|--------------------------|---------------|---|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint, jointly and severally, Philip G. Alden, Registration No. 32,189, and BRIGGS AND MORGAN, 2200 First National Bank Building, 332 Minnesota Street, Saint Paul, Minnesota 55101, my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, and the general power of attorney to file and prosecute any foreign or International (PCT) application claiming the benefit of priority of this application, or any continuation, continuation-in-part, or divisional thereof.

All communications shall be addressed to:

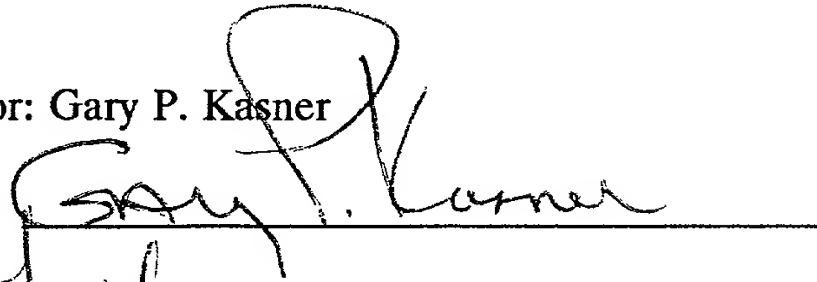
Philip G. Alden  
BRIGGS AND MORGAN  
2200 First National Bank Building  
332 Minnesota Street  
Saint Paul, Minnesota 55101  
(612) 223-6562

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-referenced specification and claims, and I

hereby subscribe my name to said specification and claims and to the foregoing  
declaration, power of attorney and this petition.

Full name of inventor: Gary P. Kasner

Inventor's signature:



Date: 11/15/14

Residence (City/State): Eden Prairie, Minnesota

Mailing Address: 8335 Mitchell Road  
Eden Prairie, Minnesota 55345

Citizenship: United States

Attorney Docket No. 18378.9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Patent No.: 5,094,041 )  
Issue Date: March 10, 1992 )  
Patentees: Gary P. Kasner, Mark S. Stoll, ) **DECLARATION PURSUANT TO**  
and Richard J. Morris ) **37 CFR §1.63**  
Title: Ridge Cap Types )  
Roof Ventilator )

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Washington, D.C. 20231 on 9-16-94  
**BRIGGS AND MORGAN**  
Patricia Morgan 9-16-94  
Signature Date

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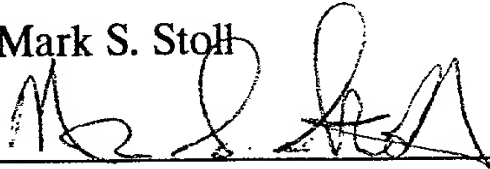
All communications shall be addressed to:

Philip G. Alden  
BRIGGS AND MORGAN  
2200 First National Bank Building  
332 Minnesota Street  
Saint Paul, Minnesota 55101  
(612) 223-6562

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-referenced specification and claims, and I

hereby subscribe my name to said specification and claims and to the foregoing  
declaration, power of attorney and this petition.

Full name of inventor: Mark S. Stoll

Inventor's signature: 

Date: 9-14-94

Residence (City/State): Excelsior, Minnesota

Mailing Address: 19055 Eastwood Drive  
Excelsior, Minnesota 55331

Citizenship: United States

Attorney Docket No. 18378.9



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Patent No.: 5,094,041 )  
Issue Date: March 10, 1992 )  
Patentees: Gary P. Kasner, Mark S. Stoll, ) **DECLARATION PURSUANT TO**  
and Richard J. Morris ) **37 CFR §1.63**  
Title: Ridge Cap Types )  
Roof Ventilator )

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Washington, D.C. 20231 on 9-16-94  
**BRIGGS AND MORGAN**

Sally Hays 9-16-94  
Signature Date

invention and for nonjoinder of a true inventor, as set forth in the accompanying Verified Statement of Facts.

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**PRIOR FOREIGN APPLICATION(S)**

|          |           |                        | Priority Claimed |    |
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| (Number) | (Country) | (Day/month/year filed) | Yes              | No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint, jointly and severally, Philip G. Alden, Registration No. 32,189, and BRIGGS AND MORGAN, 2200 First National Bank Building, 332 Minnesota Street, Saint Paul, Minnesota 55101, my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, and the general power of attorney to file and prosecute any foreign or International (PCT) application claiming the benefit of priority of this application, or any continuation, continuation-in-part, or divisional thereof.

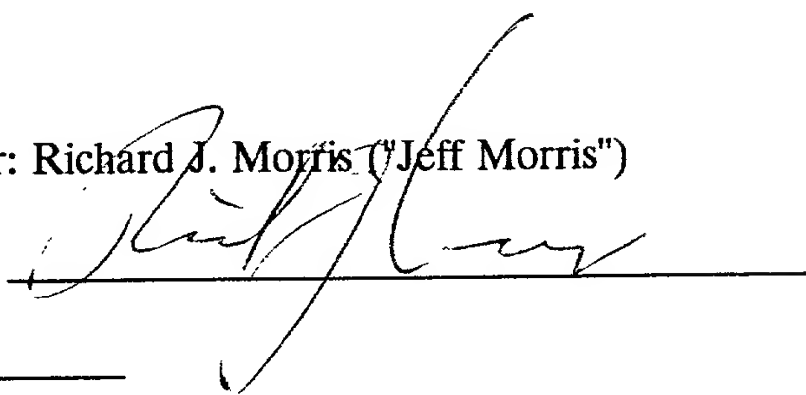
All communications shall be addressed to:

Philip G. Alden  
BRIGGS AND MORGAN  
2200 First National Bank Building  
332 Minnesota Street  
Saint Paul, Minnesota 55101  
(612) 223-6562

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-referenced specification and claims, and I

hereby subscribe my name to said specification and claims and to the foregoing  
declaration, power of attorney and this petition.

Full name of inventor: Richard J. Morris ("Jeff Morris")

Inventor's signature: 

Date: 9-14-89

Residence (City/State): Prior Lake, Minnesota

Mailing Address: 15987 Island View Road  
Prior Lake, Minnesota 55372

Citizenship: United States

Attorney Docket No. 18378.9

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

Attorney Docket No. 1915.14US01

Kasner et al.

U.S. Patent No.: 5,094,041

Examiner: M. Safavi

Application No.: 08/209,559

Group Art Unit: 3635

Filed: March 10, 1994

For: RIDGE CAP TYPE ROOF VENTILATOR

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SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. § 1.175

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We, Gary P. Kasner, Mark S. Stoll, and Richard J. Morris, in supplement to the Declarations and Verified Statements of Fact previously submitted in the above-identified reissue application, and incorporating the same herein by reference as though fully set forth, hereby declare:

1. We have reviewed and understand the contents of the reissue specification, including the claims, as amended by the amendments and as specifically referred to herein.
2. We believe ourselves to be the original and first inventors of the subject matter, which is claimed and for which a reissue patent is sought.
3. We acknowledge the duty to disclose information material to the examination of this application in accordance with 37 C. F. R. § 1.56, including any public use, sale, or offer of sale

of the disclosed invention occurring more than one year prior to the filing date of the application from which the present Patent issued.

4. We believe the original patent to be partially or wholly inoperative because of error without any deceptive intent for: (1) nonjoinder of a true inventor and (2) by reason of a defective specification, the specification containing at least one indefinite claim therein.

5. We believe Claim 4, as allowed, could be construed as indefinite because it is not clear that "each of said vent parts defines a multiplicity of air passages communicating with said roof opening."

6. We believe Claim 7, as allowed, could be construed as indefinite because Claim 7 does not clearly recite "at least one of said apertures disposed in each of said vent panels."

7. We believe Claim 8, as allowed, could be construed as indefinite because Claim 8 might be interpreted to contradictorily require that the pockets be defined by, and extending at least partially through, at least a one of the vent parts, yet be spaced apart from the roof ventilator interior region by the entire vent part.

8. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

9. That every error in the patent corrected in the present reissue application and not covered by prior declarations, arose without any deceptive intent.

1-2-01  
Date

Gary P. Kasner  
Gary P. Kasner

1-2-01  
Date

Mark S. Stoll  
Mark S. Stoll

1-2-01  
Date

Richard J. Morris  
Richard J. Morris

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.*

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

11 January 2001  
Date of Deposit

Wm. Larry Alexander  
Wm. Larry Alexander

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Kasner et al.

Attorney Docket No.: 1915.14-US-01

Application No.: 08/004,783

Examiner: M. Safavi

Filed: March 10, 1994

Group Art Unit: 3504

For: RIDGE CAP TYPE ROOF VENTILATOR

---

SUBSTITUTION OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I hereby appoint the following attorneys/agents to prosecute the above-identified patent application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

James H. Patterson (30,673), Steven J. Keough (33,190), John F. Thuent (29,595), William M. Hienz III (37,069), Paul W. Stanga (38,320), William L. Alexander (37,269), Girma Wolde-Michael (36,724), Kimberly K. Baxter (40,504), Paul S. Grunzweig (37,143), Eric H. Chadwick (41,664), and Randall T. Skaar (42,151).

Address all telephone calls to: James H. Patterson (612/349-5741).

Address all correspondence to: James H. Patterson, Patterson & Keough, P.A., 1200 Rand Tower, 527 Marquette Avenue South, Minneapolis, Minnesota 55402. Please reference Attorney Docket No. 1915.14-US-01 on all



correspondence. Additionally, please charge any future fees to Deposit Account No. 16-0631.

All previous powers of attorney granted in this case are hereby revoked.

Liberty Diversified Industries, Inc.,  
Assignee

Date: May 6, 1998

David Lenzen  
Name David Lenzen  
Executive Vice President  
Title

#### CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

19 May 98  
Date of Deposit  
James H. Parsons  
Name of Person Signing Certificate  
[Signature]  
Signature

ASSIGNMENT

WHEREAS, Richard J. Morris ("Jeff Morris"), a citizen of the United States, residing at 15987 Island View Road, Prior Lake, Minnesota 55372, made an invention disclosed and claimed in an Application for United States Letters Patent filed as Serial No. 07/479,376 on February 13, 1990, and now issued as U.S. Patent No. 5,094,041 on March 10, 1992 entitled: **RIDGE CAP TYPES ROOF VENTILATOR**; and

WHEREAS, Liberty Diversified Industries, Inc., a corporation organized and existing under and by virtue of the laws of the State of Minnesota and having a principal place of business located at 5600 North Highway 169, New Hope, Minnesota 55428, is desirous of acquiring an interest in and to said invention, and in and to the Letters Patent that may be issued thereon;

NOW THEREFORE, Be It Known, that for good and valuable consideration, the receipt of which is hereby acknowledged by the undersigned, the entire right, title, and interest of said Jeff Morris in and to said application for United States Letters Patent, and the Invention disclosed and claimed therein, the resultant patent or patents for said invention and any renewals, reissues, extensions, substitutions, and continuations or divisions thereof, including all foreign rights thereunder, as fully set forth and described in the specification of said application for Letters Patent, is hereby sold, assigned and transferred unto said Liberty Diversified Industries, Inc.

REEL 7259 FRAME 564

The Commissioner of Patents is hereby authorized and requested to issue said Letters Patent in accordance with this Assignment.

Signature

Richard J. Morris

Signed at Golden Valley, MN, this 10th day  
of March, 19 94.

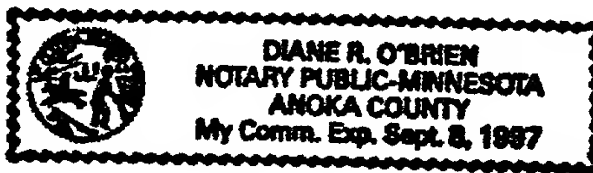
STATE OF MINNESOTA)  
COUNTY OF HENNEPIN) ss.

Subscribed and sworn before me this

10th day of March, 19 94

Diane R. O'Brien  
Notary Public

Attorney Ref. No. 18378.9



REEL 7259 FRAME 570

"Express Mail" Mailing Label No. CB388348642

Date of Deposit 3-10-94  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

KATHY THOMP  
(Typed or printed name of person mailing paper or fee)

Kathy Thompson  
(Signature of person mailing paper or fee)

RECORDED  
U.S. PATENT & TRADEMARK OFFICE

MAR 10 94